



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 6659**  
Ya XU et al. : Attorney Docket No. 2006\_1228A  
Serial No. 10/587,940 : Group Art Unit 1793  
Filed September 29, 2006 : Examiner Sarah Van Oudenaren  
INTERMETALLIC COMPOUND  $\text{Ni}_3\text{Al}$  : **Mail Stop: Amendment**  
CATALYST FOR REFORMING  
METHANOL AND METHANOL  
REFORMING METHOD USING SAME

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**RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEE FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975.

Sir:

Responsive to the Office Action of April 1, 2009, the time for responding thereto being extended for one month in accordance with a Petition for Extension of Time submitted concurrently herewith, Applicants submit the following remarks in support of the patentability of the presently claimed invention over the disclosures of the references relied upon by the Examiner in rejecting the claims. Further and favorable reconsideration is respectfully requested in view of these remarks.

Thus, the rejection of claims 2-3 under 35U.S.C. §102(b) or 35 U.S.C. §103(a) based on Shaw et al. (US '701) is respectfully traversed.

Apparently referring to the "prepared by machining and mechanically polishing a melt-prepared ingot or in an atomization process" language in claim 3, the Examiner states that **once the Examiner provides a rationale** tending to show that the claimed product appears to be the same or similar to that of the prior art, although produced by a different process, the burden shifts